UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,009	02/27/2002	Alan Rubinstein	3720.US.P	1061

			EXAMINER
56436	7590	09/25/2006	JEAN GILLES, JUDE

3COM CORPORATION
350 CAMPUS DRIVE
MARLBOROUGH, MA 01752-3064

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/086,009</td><td>Applicant(s)
RUBINSTEIN ET AL.</td></tr>
<tr><td>Examiner
Jude J. Jean-Gilles</td><td>Art Unit
2143</td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 June 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *21-26* is/are allowed.

6)☒ Claim(s) *1,3-8,10 and 12-20* is/are rejected.

7)☒ Claim(s) *2,9 and 11* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed on 06/16/2006.

Response to Amendment after Final

1.   This action is responsive to the application filed on 06/16/2006. Claims 1-3, 8-9,

and 15-26 have been amended. There are no newly added claims. Claims 1-26 are

pending. Claims 1-26 represent a method and apparatus for a "secure network outlet for

supporting IP Device address assigning functionality".

Response to Arguments

2.   Applicant's arguments with respect to claims 1-20 have been carefully

considered, but are not deemed fully persuasive. Applicant's arguments are deemed

moot in view of the following new ground of rejection as explained here below,

necessitated by Applicant substantial amendment to the claims which significantly

affected the scope thereof.

The dependent claims stand rejected as articulated in the First Office Action and

all objections not addressed in Applicant's response are herein reiterated.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to "clearly

point out the patentable novelty which he or she thinks the claims present in view of the

state of the art disclosed by the references cited or the objections made. He or she

must show the amendments avoid such references or objections."

Allowable Subject Matter

3.   **Claims 2, and 9** are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

Allowed claims ˎ

4.   **Claims 21-26** below are ALLOWED.

Claim 21. An intelligent data concentrator for performing device address assigning

functionality, said intelligent data concentrator having a first device address, said

intelligent data concentrator comprising: ˎ

        a housing configured to be installed internally within a wall;

        a first interface for communicatively coupling said intelligent data concentrator to

an Ethernet local area network (LAN);

        a second interface for communicatively coupling said intelligent data concentrator

to a plurality of client devices such that each said client device is communicatively

coupled to said network, wherein said second interface is external to and substantially

planar with an external surface of the wall to provide a plurality of communication ports.

each communication port providing the communicative coupling for one of the plurality

of client devices;

        a processor coupled to said first interface and said second interface;

and

        a device address assignor coupled to said processor for assigning a second

device address to said client device;

wherein said first interface, said second interface, said processor and said device

address assignor are comprised within said housing. ~

Claim 22. An Intelligent data concentrator as recited in Claim 21 wherein said first

device address and said second device address are IP addresses.

Claim 23. An intelligent data concentrator as recited in Claim 21 wherein said device

address assignor is a DHCP server.

Claim 24. An intelligent ' data concentrator as recited in Claim 21 wherein said first

device address is the same as said second device address.

Claim 25. An intelligent data concentrator as recited in Claim 21 wherein said first

device address is a global device address.

Claim 26. An intelligent data concentrator as recited in Claim 21 wherein said second

device address is a private device address.

Reasons for Allowance of claim 21-26

8.   The following is an examiner's statement of reasons for allowance of claim 21:

the closet prior art of record ((Batia et al, U.S. Patent No. 6,6028,848) does not teach

nor suggest in detail an intelligent data concentrator for performing device address

assigning functionality, said intelligent data concentrator having a first device address,

said intelligent data concentrator comprising: a housing, a first and second interfaces, a

processor, a device address assignor as specified above.

(see pages 9 and 10 of applicant's argument dated 06/16/2006 as well as the enabling

portions of Applicant's specification, pages 1-15).   So as indicated by the above

statements, Applicant's arguments have been considered persuasive, in light of the

claim limitations as well as the enabling portions of the specification.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   **Claims 1, 3-8, 10, 12-20** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bhatia et al (Bhatia), U.S. Patent No. 6,028,848) in view of Addy, U.s.

Patent No. 6,288,639 B1.

Regarding claim 1: Bhatia discloses the invention substantially as claimed. Bhatia

teaches a method for performing device address assigning functionality in intelligent

hardware (see Bhatia; fig. 1, item 300, column 10, lines 10-30), said method

comprising:

        receiving a network access request from a client device communicatively

coupled to said intelligent hardware (see Bhatia; column 4, lines 52-67; column 5, lines

1-10);

        transmitting a device address request to an Ethernet local area network (LAN)

server communicatively coupled to said intelligent data concentrator (see Bhatia;

column 4, lines 52-67,. column 5, lines 1-35); however Bhatia does not disclose in

details the steps of:

receiving a first device address from said Ethernet LAN server communicatively

coupled to said intelligent data concentrator; and assigning a second device address to

said electronic device communicatively coupled to said intelligent data concentrator;

wherein the said intelligent data concentrator is configured to be mounted internally

within a wall such that a user-accessible surface of intelligent data concentrator is

external to and substantially planar with and exterior surface of the wall to provide direct

access to said intelligent data concentrator (see Bhatia; fig. 1; item 300) Note that this

intelligent device is an external MODEM and all external MODEMS are inherently wall-

mountable).

In the same field of endeavor, Addy discloses "*If the wall mounted keypad 40 is*

wireless, the installer will recheck its communication with the central control unit 10 by

entering a status request user code at the wall mounted keypad 40, which is

transmitted to the central receiver 90. If the status request message is received by the

receiver, now at low power, the central transmitter 80 will transmit a status message to

the wall mounted keypad 40 also at low power. The installer will then check to see

if the status message is received and displayed by the wall mounted keypad 40. If not

the installer relocates the wall mounted keypad 40 and rechecks its communication in

the same way..."[see Addy; column5, lines 38-49].

Accordingly, it would have been obvious to one of ordinary skill in the networking

art at the time the invention was made to have incorporated Addy's teachings of using

an intelligent data concentrator configured to be mounted internally within a wall such

that a user-accessible surface of intelligent data concentrator is external to and

substantially planar with and exterior surface of the wall to provide direct access...

with the teachings of Bhatia, for the purpose of improving the ability of a network "...to

not only substantially eliminate user frustration and significantly reduce time and costs

associated with establishing, configuring and using a LAN for a workgroup as well as with

connecting each PC therein to a remote network service provider, but also increase the use of

such LANs in small businesses and among home users to the eventual benefit of each." as

stated by Bhatia in lines 25-33 of column 4. By this rationale, **claim 1** is rejected.

Regarding claim 3, Bhatia teaches a method as recited in Claim 1 wherein said

first device address and said second device address are an IP addresses (see Bhatia;

column 12, lines 1-40).

Regarding claim 4, Bhatia teaches a method as recited in Claim 1 wherein said

network server comprises a DHCP server (see Bhatia; column 1 7, lines 42-67; fig. 4B,

item 408).

Regarding claim 5, Bhatia teaches a method as recited in claim 1 wherein said

first device address is the same as said second device address (see Bhatia; column 12,

lines 1-40).

Regarding claim 6, Bhatia teaches a method as recited in Claim 1 wherein said

first device address is a global device address (see Bhatia; column 5, lines 15-60; note

that the Public Address of the workstation is the global address of the device).

Regarding claim 7, Bhatia teaches a method as recited in Claim 1 wherein said

second device address is a private device address (see Bhatia; column 5, lines 15-60;

note that the

Private Address of the workstation is the private address of the device).

Regarding claim 8, Bhatia teaches a method for performing device address

assigning functionality in intelligent hardware (see Bhatia; fig. 1, item 30; column 10,

lines 10-30),

said method comprising:

receiving a network access request from an electronic device

communicatively coupled to said intelligent hardware, said intelligent hardware

having a first device address (see Bhatia; column 4, lines 52-67,. column 5, lines 1-5)

wherein the said intelligent hardware is wall-mountable and comprises a user-

accessible surface such that a user is provided direct access to said intelligent

hardware; and

assigning a second device address to said electronic device communicatively

coupled to said intelligent hardware, such that said intelligent hardware eliminates the

need for a separate device address assigning server (see Bhatia; column 5, lines 10-

35,. column 11, lines 64-67,. column 12, lines 1-40; see Addy; column5, lines 38-49).

Regarding claim 15, Bhatia teaches an intelligent device for performing device

address assigning functionality comprising:

a wall-mountable housing (see Bhatia; fig. 1; item 300) Note that this intelligent

device is an external MODEM and all external MODEMS are inherently wall-

mountable);

a first interface for communicatively coupling said intelligent device to a

network (see Bhatia; fig. 1, item 305,. column 10, lines 31-56),

a second interface for communicatively coupling said intelligent device to

a plurality of electronic devices such that each said electronic device is

communicatively coupled to said network (see Bhatia; fig. 1, items 340,. column 10,

lines 22-44) wherein the said second interface is comprised within a user-accessible

surface such that a user is provided direct access to said intelligent hardware (see

Bhatia; fig. 1, items 305;column 10, 1-67);

a processor coupled to said first interface and said second interface (see Bhatia;

fig. 1, items

33) column 14, lines 15-67); and

a device address retriever coupled to said processor for retrieving a first device

address for said intelligent device from a network server of said network and for

assigning a second device address to said electronic device

wherein said first interface, said processor and said device address retriever are

comprised within said wall-mountable housing (see Bhatia; fig. 1, items 300, 305, 350,

310, 330; column 1 7, lines 43-67; column 18, lines 1-44; fig. 3, items 350, 330; see

Addy; column5, lines 38-49).

Regarding claim 21, Bhatia teaches an intelligent device for deforming device

address assigning functionality, said intelligent device having a first device address,

said intelligent device comprising :

a first interface for communicatively coupling said intelligent device to a

network (see Bhatia; fig. 1, item 305,. column 1 0, lines 31-56);

a second interface for communicatively coupling said intelligent device to

a plurality of electronic devices such that each said electronic device is

communicatively coupled to said network (see Bhatia; 5g. 1, items 340,. column 10,

lines 22-

44) wherein said second interface is comprised within a user-accessible surface such

that a user is provided direct access to said intelligent hardware (see Bhatia; fig. 3,

items 350);

a processor coupled to said first interface and said second interface (see Bhatia;

fig. 1, items

330; column 14, lines 15-67); and

a device address assignor coupled to said processor for assigning a second

device address to said electronic device (see Bhatia; column 5, lines 10-67).

Wherein said first interface, said second interface, said processor and said

device address retriever are comprised within said wall-mountable housing (see Bhatia;

fig. 3, items 350, 330; see Addy; column5, lines 38-49).

Regarding claims 10, and 16: Claims 10, and 16 list all the same

elements of claim 3, but in a different form. Therefore, the supporting rationale of the

rejection to claim 3 applies equally as well to claims 10, 16, and 22.

Regarding claim 17: Claim 17 lists all the same

elements of claim 4, but in a different form. Therefore, the supporting rationale of the

rejection to claim 4 applies equally as well to 11, 17, and 23.

Regarding claims 12, and 18: Claims 12, and 18 list all the same

elements of claim 5, but in a different form. Therefore, the supporting rationale of the

rejection to claim 5 applies equally as well to 12, 18, and 24.

Regarding claims 13, and 19: Claims 13 and 19, list all the same

elements of claim 6, but in a different form. Therefore, the supporting rationale of the

rejection to claim 6 applies equally as well to 13, 19, and 25.

Regarding claims 14, and 20: Claims 14, and 20 list all the same

elements of claim 7, but in a different form. Therefore, the supporting rationale of the

rejection to claim 7 applies equally as well to 14, 20, and 26.

Conclusion

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.
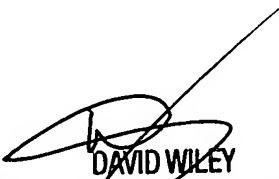
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

JJG

September 17, 2006